

August 1966

Journal of the Constitutional Convention, 1966 Aug 25

August P. LaFrance

Follow this and additional works at: http://digitalcommons.providence.edu/constitution_64-69

LaFrance, August P., "Journal of the Constitutional Convention, 1966 Aug 25" (1966). *Journals of the 1964-1969 Constitutional Convention of Rhode Island*. Paper 54.

http://digitalcommons.providence.edu/constitution_64-69/54

This Article is brought to you for free and open access by the Special Collections at DigitalCommons@Providence. It has been accepted for inclusion in Journals of the 1964-1969 Constitutional Convention of Rhode Island by an authorized administrator of DigitalCommons@Providence. For more information, please contact mcaprio1@providence.edu.

JOURNAL OF THE CONSTITUTIONAL CONVENTION

Providence, Rhode Island

August 25, 1966

The Convention was called to order by Mr. Dennis J. Roberts, Chairman, at 1:51 P.M., pursuant to the following written order:

"August 19, 1966

"To the Delegates to the Constitutional Convention:

"Pursuant to the action of the Convention at its last session, as Chairman, I am calling the next session of the Convention for Thursday, August 25, 1966 at 1:30 P.M. in the Chamber of the House of Representatives. This meeting will be a very short meeting designed to permit committees to make reports which will be in order of business for succeeding meeting.

"Enclosed you will find copies of recommendations of the Committee on Style and Drafting which will be reported out at this meeting and placed on the agenda for second reading when the Convention meets again. The purpose in forwarding these reports to you at this time is twofold: first, to allow you ample time to study them and second, so that it will be possible to hold a meeting for their consideration shortly after August 25. If possible, the Convention should meet again on September 8th and September 12th, both sessions of which will be more than taken up with the reports of the Committee on Style and Drafting.

"If this schedule is followed, I believe we will be well along towards the preparation of the final document for submission to the people.

"While the meeting on August 25th will be short, it is extremely important that a quorum is present in order that we may receive these committee reports. Will you, therefore, make every effort to attend?

"Very truly yours,
(signed)
Dennis J. Roberts
Chairman."

INVOCATION

The Chairman presented Reverend Paul Littmann, Pastor of St. Paul's Evangelical Lutheran Church, Providence, for the purpose of giving the Invocation. The Invocation was given.

On motion of Mr. Wexler, seconded by Messrs. Murphy of Tiverton, Bride and Gallogly, reading of the Journal of the previous day was dispensed, on a voice vote.

The roll of delegates was called; there were 62 present and 38 absent.

Absentees were Messrs. Appolonia, Beauchemin, Belhumeur, Bevilacqua, Cannon, Cochran, Miss Colaneri, Messrs. Cunningham, DeCiantis, DiLuglio, DiSandro, Dyl, Dodge, Fanning of Cumberland, Fanning of Providence, Feeney, Gallagher, Gammino, Giangiacomo, Giguere, Gorham of Scituate, Greenhalgh, Mrs. Hager, Mr. Jordan, Mrs. Lacroix, Messrs. LaFrance, LaSalle, Martin, Matzner, McCabe, McKinnon, Moon, Murphy of Warren, O'Donnell, Pucci, Viall, Willey and Wrenn.

The names of the absentees were called.

On motion of Mr. Gallogly, the delegates extended to Reverend Littmann a rising vote of appreciation for his kindness in giving the Invocation.

By unanimous consent, in the temporary absence of the Secretary and pending his anticipated return, the clerk acted as Secretary.

REPORTS OF STANDING COMMITTEES

Mr. Coleman for the Committee on Local Government reported back that, after a duly advertised public hearing was held thereon, by a vote of 8 to 0, the Committee recommended adoption of the following proposal:

Proposal No. 155, Substitute C "Of Local Government"

The proposal and report were accepted, referred to the Committee of the Whole and placed on the General Orders.

Mr. Bride for the Committee on the Judiciary reported back that, by a vote of 8 to 0, the Committee ordered to be reported that by a vote of 5 to 3, the Committee did not recommend the following proposal:

Proposal No. 117 "Jury Trials"

The proposal and report were accepted, referred to the Committee of the Whole and placed on the General Orders.

Mr. Bride for the Committee on Judiciary reported back that, by a vote of 8 to 0, the Committee ordered to be reported that, as a result of a vote of 4 to 4, the Committee reported without recommendation the following proposal:

Proposal No. 121 "Attorney General"

The proposal and report were accepted, referred to the Committee of the Whole and placed on the General Orders.

Mr. Bride for the Committee on Judiciary reported back that, by a vote of 8 to 0, the Committee ordered to be reported that, by a vote of 5 to 3, the Committee did not recommend the following proposal:

Proposal No. 123 "Judicial Power"

The proposal and report were accepted, referred to the Committee of the Whole and placed on the General Orders.

Mr. Wexler for the Committee on Style and Drafting reported back that, by a vote of 9 to 0, the Committee recommended adoption of the following proposal:

Proposal No. 25 "Preamble"

The proposal and report were accepted, placed in order for Second Reading of Proposals at the next session of the Convention.

Mr. Wexler for the Committee on Style and Drafting reported back that, by a vote of 9 to 0, the Committee recommended adoption of the following proposal:

Proposal No. 29, Substitute B "Of the Legislative Power"

The proposal and report were accepted, placed in order for Second Reading of Proposals at the next session of the Convention.

Mr. Wexler for the Committee on Style and Drafting reported back that, by a vote of 9 to 0, the Committee recommended adoption of the following proposal:

Proposal No. 30, Substitute B "Of the House of Representatives"

The proposal and report were accepted, placed in order for Second Reading of Proposals at the next session of the Convention.

Mr. Wexler for the Committee on Style and Drafting reported back that, by a vote of 9 to 0, the Committee recommended adoption of the following proposal:

Proposal No. 31, Substitute B "Of the Senate"

The proposal and report were accepted, placed in order for Second Reading of Proposals at the next session of the Convention.

Mr. Wexler for the Committee on Style and Drafting reported back that, by a vote of 9 to 0, the Committee recommended adoption of the

following proposal:

Proposal No. 35, Substitute C "The Judicial Power"

The proposal and report were accepted, placed in order for Second Reading of Proposals at the next session of the Convention.

Mr. Wexler for the Committee on Style and Drafting reported back that, by a vote of 8 to 0, the Committee recommended adoption of the following proposal:

Proposal No. 190, Substitute B "Claims against Governmental Units."

The proposal and report were accepted, placed in order for Second Reading of Proposals at the next session of the Convention.

Mr. Wexler for the Committee on Style and Drafting reported back that, by a vote of 8 to 1, the Committee recommended adoption of the following proposal:

Proposal No. 20, Substitute C "Term and Election of General Officers"

The proposal and report were accepted, placed in order for Second Reading of Proposals at the next session of the Convention.

Mr. Wexler, for the Committee on Style and Drafting reported back that, by a vote of 9 to 0, the Committee did not recommend the following proposal:

Proposal No. 67, Substitute A "Judicial Power"

The proposal and report were accepted, placed in order for Second Reading of Proposals at the next session of the Convention.

Mr. Wexler for the Committee on Style and Drafting reported back that, by a vote of 9 to 0, the Committee did not recommend the following proposal:

Proposal No. 118 "Suffrage"

The proposal and report were accepted, placed in order for Second Reading of Proposals at the next session of the Convention.

Mr. Wexler for the Committee on Style and Drafting reported back that, by a vote of 9 to 0, the Committee did not recommend the following proposal:

Proposal No. 120 "Suffrage"

The proposal and report were accepted, placed in order for Second Reading of Proposals at the next session of the Convention.

Mr. Wexler for the Committee on Style and Drafting reported back that, by a vote of 9 to 0, the Committee did not recommend the following proposal:

Proposal No. 148 "Of the Judicial Power"

The proposal and report were accepted, placed in order for Second Reading of Proposals at the next session of the Convention.

Mr. Wexler, for the Committee on Style and Drafting reported back that, by a vote of 9 to 0, the Committee did not recommend the following proposal:

Proposal No. 172 "State Bond Referenda"

The proposal and report were accepted, placed in order for Second Reading of Proposals at the next session of the Convention.

Mr. Wexler for the Committee on Style and Drafting reported back that, by a vote of 9 to 0, the Committee did not recommend the following proposal:

Proposal No. 21 "Election of General Officers"

The proposal and report were accepted, placed in order for Second Reading of Proposals at the next session of the Convention.

COMMUNICATION

The Chairman announced receipt of a copy of a resolution of the City Council of the City of Woonsocket urging that the Convention support the principle of off-year non-partisan elections for the City of Woonsocket.

The Communication was referred to the Committee on Local Government.

INTRODUCTION AND FIRST READING OF PROPOSALS

The Chairman announced receipt of the following proposal:

Proposal No. 209, offered by Mr. Manning entitled "Reapportionment".

The proposal was read by title and referred to the Committee on the Legislative Department.

REPORT OF THE COMMITTEE OF THE WHOLE

The Chairman announced that he would present the Report of the Chairman of the Committee of the Whole for June 27, 1966, a copy of which was on the desk of each delegate.

On motion of Mr. Wexler, seconded by Mr. Murphy of Tiverton, reading of the report was dispensed and the Convention proceeded to act thereon, on a voice vote.

The Chairman, as Chairman of the Committee of the Whole on June 27, 1966, presented a report of the Committee of the Whole to the Convention and action was taken thereon as follows:

"The Committee of the Whole meeting on June 27, 1966, considered Proposal No. 205, "Term of Office of Representatives."

"The Committee on Elections and Right to Vote did not recommend. On a division vote a motion to recommend adoption of the proposal prevailed."

The proposal was referred to the Committee on Style and Drafting.

Also, "The Committee considered Proposal No. 204, "Term of Office of Senators."

"The Committee on Elections and Right to Vote did not recommend. On a division vote a motion to recommend adoption failed."

The proposal was read.

Mr. Kagan, seconded by Messrs. Fontaine, Foster, Cote, Bizier and Lawrence, moved that the proposal be rejected.

On a division vote the motion to reject the proposal prevailed, 37 delegates voting in the affirmative and 20 delegates voting in the negative.

Also, "The Committee considered Proposal No. 202, "Term of Members of the House of Representatives."

"The Committee on Elections and Right to Vote did not recommend. On a division vote a motion to recommend adoption prevailed."

The proposal was referred to the Committee on Style and Drafting.

Also, "The Committee considered Proposal No. 201, "Term of Members of the Senate."

"The Committee on Elections and Right to Vote did not recommend. On a division vote a motion to recommend adoption failed."

The proposal was read.

Mr. Doris, seconded by Messrs. Fontaine, Foster, Lawrence, Cote and Prince, moved that the proposal be rejected.

On a division vote the motion to reject the proposal prevailed,

36 delegates voting in the affirmative and 23 delegates voting in the negative.

Also, "The Committee considered Proposal No. 47, "Municipal Elections."

"The Committee on Elections and Right to Vote did not recommend. On a division vote a motion to recommend adoption failed."

The proposal was read.

Mr. Gorham of Scituate, seconded by Messrs. Gates, Nathanson and Lawrence, moved that the proposal be rejected.

On a division vote the motion to reject the proposal prevailed, 32 delegates voting in the affirmative and 22 delegates voting in the negative.

Also, "The Committee considered Proposal No. 61, "Of the Legislative Power."

"The Committee on the Legislative Department did not recommend. On a division vote a motion to recommend rejection prevailed."

Mr. Doris, seconded by Messrs. Principe, Canna and Lawrence, moved that the proposal be rejected.

On a division vote the motion to reject the proposal prevailed, 50 delegates voting in the affirmative and 0 delegates voting in the negative, with more than 1 delegate present and not voting.

Also, "The Committee considered Proposal No. 183, "Bond Referenda."

"The Committee on the Legislative Department did not recommend. On a division vote a motion to recommend rejection prevailed."

The proposal was read.

Mr. Chaharyn, seconded by Messrs. Cote and Doris, moved that the proposal be rejected.

On a division vote the motion to reject the proposal prevailed, 52 delegates voting in the affirmative and 0 delegates voting in the negative.

Also, "The Committee considered Proposal No. 186, "Of the Senate."

"The Committee on the Legislative Department did not recommend. On a division vote a motion to recommend adoption failed."

The proposal was read.

Mr. Doris, seconded by Messrs. Bizier, Cote, McGrath, Kagan and Lawrence, moved that the proposal be rejected.

On a division vote the motion to reject the proposal prevailed, 35 delegates voting in the affirmative and 18 delegates voting in the negative.

Also, "The Committee considered Proposal No. 206, "Prohibition of Lotteries."

"The Committee on the Legislative Department did not recommend. On a division vote a motion to recommend adoption did not prevail."

The proposal was read.

Mr. Ricci, seconded by Messrs. Dolbashian, Foster, Lawrence and Kagan, moved that the proposal be rejected.

On a division vote the motion to reject the proposal prevailed, 34 delegates voting in the affirmative and 19 delegates voting in the negative.

Also, "The Committee considered Proposal No. 198, "Property taken for Public Use."

"The Committee on the Legislative Department did not recommend. On a division vote a motion to recommend recommittal of the proposal to the Committee on the Legislative Department prevailed."

By unanimous consent the proposal was recommitted to the Committee on the Legislative Department.

Also, "The Committee considered Proposal No. 165, Substitute A, "Legislative Auditor."

"The Committee on the Legislative Department recommended adoption. On a division vote a motion to recommend adoption prevailed."

The proposal was referred to the Committee on Style and Drafting.

GENERAL ORDERS

Mr. Doris, seconded by Messrs. Warren, Dolbashian and Gallogly, moved that the Convention resolve into a Committee of the Whole upon the General Orders of the Day.

The motion prevailed on a voice vote.

(For Journal of the Committee of the Whole, see appendix, this Journal.)

Upon the rising of the Committee of the Whole, the Chairman again called the Convention to order.

ADJOURNMENT

At 2:33 P.M., on motion of Mr. Doris, seconded by Messrs. Bizier, Murray and Sherry, the Convention adjourned to meet on Monday, September 12, 1966, at 1:00 P.M. in the Chamber of the House of Representatives at the State House, on a voice vote.

August P. LaFrance, Secretary
Constitutional Convention

A P P E N D I X

Journal of the Committee of the Whole

August 25, 1966

Upon the resolving of the Convention into a Committee of the Whole, the Chairman called the Committee of the Whole to order.

GENERAL ORDERS

The Committee of the Whole proceeded to consider and act upon the General Orders of the Day.

Proposal No. 189, Section L "Article XIV - Of Continuity of Government During an Emergency"

(The Committee on the Executive Department does not recommend.)

The proposal was read.

Mr. Gallogly, seconded by Mr. Dolbashian, moved that the Committee of the Whole recommend rejection of the proposal.

On a division vote the motion prevailed, 53 delegates voting in the affirmative and 0 delegates voting in the negative.

Mr. Warren, seconded by Messrs. Principe and Gallogly, moved that the Committee of the Whole rise.

The motion prevailed on a voice vote.

August P. LaFrance, Secretary
Constitutional Convention